UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,750	10/22/2001	Mark Lucovsky	13768.198.1	4906

47973	7590	06/27/2006

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EXAMINER
TRUONG, LAN DAI T

ART UNIT	PAPER NUMBER
2152	

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/003,750	LUCOVSKY ET AL.
	Examiner	Art Unit
	Lan-Dai Thi Truong	2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 April 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-54* is/are pending in the application.

    4a) Of the above claim(s) *55-59* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-54* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)   Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/07/2006 has been entered.

2. This action is response to communications: application, filed 11/27/2002; amendment filed 04/07/2006. Claims 1-59 are pending. Claims 1, 24, 27, 48, 52, 53, 54 are amended; claims 22-23; 55-59 are cancelled

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 53-54 are rejected under 35 U.S.C. 102(e) as being anticipated Vong et al. (U.S. 6,917,373)

Claims 1-12, 14-18 and 22-28, 31- 36, 38, 41-43, 45-50, 52 and 55-57, 59 are rejected under 35 U.S.C 103(a) as being un-patentable over Tuatini (U.S. 2001/0047385) in view of Vong et al. (U.S. 6,917,373)

Claims 37- 40 are rejected under 35 U.S.C 103(a) as being un-patentable over Tuatini-Vong in view of Shigetomi et al. (U.S. 2002/0055951)

Claims *29-30 and 51* are rejected under 35 U.S.C 103(a) as being un-patentable over Tuatini- Vong in view of Susaki et al. (U.S. 6,189,032)

Claims *19-21* are rejected under 35 U.S.C 103(a) as being un-patentable over Tuatini-

Vong in view of Jenkins et al. (U.S. 6,678,682)

Claims 13 is rejected under 35 U.S.C 103(a) as being un-patentable over Tuatini- Vong in

view of Robotham et al. (U.S. 2002/0015042)

Claim 58 is rejected under 35 U.S.C 103(a) as being un-patentable over Tuatini-Vong in

view of Mache et al. (U.S. 2002/0035533)

4. The rationale of the rejections previously presented in the last Office Action is hereby

incorporated in the previous rejections under 35 USC § 102 and 35 USC § 103 for the case is

retained. Please see the previous rejections sent out on (02/08/2006) for details

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or descry bed as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

Claims 1-12, 14-18, 25-28, 31-36, 38, 41-43, 45-50, 52-54 are rejected under 35 U.S.C

103(a) as being un-patentable over Tuatini (U.S. 2001/0047385) in view of Lee et al. (U.S.

6,823,458)

Regarding to claim 1:

In a computer environment including a plurality of applications that operate on data

related to an identity, the computer environment also including a service that maintains data

associated with the identity, a method for one of the plurality of applications to operate on data

related to the identity, the method comprising the following:

Formulating a request to operate on the data, wherein formulating the request includes: an

act of constructing a network message in accordance with a message format that is recognized by

the service, the network message representing a request to perform the operation on the data

structure, wherein the network message includes an identification of the identity and schema

associated with the data structure; and an act of dispatching the network message to the service:

(Tuatini discloses an application framework selects an appropriated "application architecture"

which is equivalent to "data structure" for executing a received service request; Tuatini discloses

the translation logic of translator of application framework is responsible for generating and

sending a response that is in the service-specific format; The application framework also

identifies application action handler components and application view handler components those

can service the service request. Then the application framework sends an appropriated

application program with appropriated architecture to implement the service request: abstract,

lines 1-17; [0061]-[0063]; [0065]-[0068]; [0112])

However, Tuatini does not explicitly disclose method of identifying data associated with

an identity, wherein control over access privileges associated with the data is retained by the

identity

In analogous art, Lee discloses an apparatus and method for securing system resources in

a concurrent multiple operating system environment, wherein when a device/or application

requests access to system resources by using a unique identifier: (abstract, lines 1-16)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Lee's ideas of using unique identifier to identifying the request

with Tuatini's system in order to provide a secure system resource, see (Lee: abstract, lines 1-10)

Regarding to claim 27:

This claim is rejected under rationale of claim 1

Regarding to claims 31-32:

Those claims are rejected under rationale of claim 27

Regarding to claim 2:

In addition to rejection in claim 1, Tuatin- Lee further discloses the act of dispatching the

network message to the service comprises dispatching the network message directly to the

service without first communicating with a locator service: (Tuatini discloses direct

communications between application framework and client devices in order to select an

appropriated program with an appropriated data structure: [0061]-[0063]; [0065]-[0068]; [0112])

Regarding to claims 17-18:

Those claims are rejected under rationale of claim 2

Regarding to claims 33-34:

In addition to rejection in claim 32, Tuatin- Lee further discloses the act of dispatching

the second network message comprises an act of dispatching the second network message to the

one of the plurality of application programs: (Tuatini discloses the application framework

receives a service request from client device, and selects an appropriated application program for

executing the service request: [0065]-[0068]; [0112])

Regarding to claims 35-36 and 38:

In addition to rejection in claim 27, Tuatin- Lee further discloses contact information corresponding to the identity: (Lee discloses an apparatus and method for securing system resources in a concurrent multiple operating system environment, wherein when a device/or application requests access to system resources by using a unique identifier: abstract, lines 1-16)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Lee's ideas of using unique identifier to identifying the request with Tuatini's system in order to provide a secure system resource, see (Lee: abstract, lines 1-10)

Regarding to claims 41-43:

Those claims are rejected under rationale of claim 35

Regarding to claims 45-48:

Those claims are rejected under rationale of claim 27

Regarding to claim 24:

This claim is rejected under rationale of claim 1

Regarding to claim 3:

In addition to rejection in claim 1, Tuatin- Lee further discloses a content data structure that represents the actual data of interest: (Tuatin discloses "service request" which is equivalent to "the actual data of interest": [0061]-[0063]

Regarding to claims 4-5:

In addition to rejection in claim 1, Tuatin- Lee further discloses data structure: (Tuatin discloses "application architecture" which is equivalent to "data structure": [0061]-[0063]; [0065]-[0068]; [0112])

Regarding to claim 6:

In addition to rejection in claim 1, Tuatin- Lee further discloses the data that is to be operated on is not directly accessed by the plurality of application, but is only directly accessed via the service: (Tuatini discloses an "application architecture" which is equivalent to "a systems data structure" and "an access control data structure": abstract, lines 1-17; page 3, right column, lines 40-52)

Regarding to claims 7-8:

In addition to rejection in claim 1, Tuatin- Lee further discloses an act of the granting the application access to the data structure prior to the acts of identifying, constructing, and dispatching, wherein the decision on whether or not to grant the application accesses is based on permission provided by the identity

Lee discloses an apparatus and method for securing system resources in a concurrent multiple operating system environment, wherein when a device/or application requests access to system resources by using a unique identifier: abstract, lines 1-16)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Lee's ideas of using unique identifier to identifying the request with Tuatini's system in order to provide a secure system resource, see (Lee: abstract, lines 1-10)

Regarding to claims 9-10:

In addition to rejection in claim 1, Tuatin- Lee further discloses an act of determining an address of the service: (Tuatini discloses "the client sends the requests services of the application program," this process is shared functionality with "determining an address of the service": abstract, lines 1-17; page 3, right column, lines 29-43)

Regarding to claims 11-12 and 26:

In addition to rejection in claims 9 and 24, Tuatin- Lee further discloses an act of

constructing a second network message in accordance with the message format that is recognized

by a locator service, the second network message representing a query for the address using the

identification of the identity: (Tuatini discloses the application framework identifies application

action handler components and application view handler components, those can service the

request and format the response. Then the application framework sends the application program

to implement the client request to client: abstract, lines 1-17; page 2, right column, lines 43-55;

page 3, left column, lines 1-19, right column, lines 29-43)

An act of dispatching the second network message to the locator service: (Tuatini

discloses the client sends the requests of services to "the application framework" which is

equivalent to "the locator service": page 3, right column, lines 29-43)

An act of receiving a response from the locator service that includes the address: (Tuatini

discloses the client requests services by sending a request message in a client-specific format.

Then the translator is responsible for translating the request received from a client system in the

clients-specific format into the application-specific format defined for business logic. The

application view handler is responsible for generating and sending a response that is in the client-

specific format: abstract, lines 1-17; page 2, right column, lines 43-55; page 3, left column, lines

1-19, right column, lines 29-43)

Regarding to claim 16:

In addition to rejection in claim 1, Tuatin- Lee further discloses an act of dispatching the

network message to the service using a transport protocol that is compatible with transport over

the Internet: (Although Tuatini does not explicitly disclose transport protocol; however this

feature is deemed to be inherent to the Tuatini's system in order to perform communication

between application framework and clients: abstract, lines 1-17; page 2, right column, lines

43-55; page 3, left column, lines 1-19, right column, lines 29-43)

Regarding to claims 25 and 49:

In addition to rejection in claims 24 and 48, Tuatini- Lee further discloses

computer-readable media are physical storage media: (figure 30, item 3002; Figure 40, items

4005, 4010, 4015).

Regarding to claims 14 and 15:

In addition to rejection in claim 1, Tuatini- Lee further discloses an act of dispatching the

network request to a locator service that maintains a list of addresses for type-specific data

services corresponding to the identity: (Tuatini discloses "the configuration file" which is

equivalent to "list of addresses for type-specific data services corresponding to the identity"

wherein the appropriate application program for request can be indicated: page 3, left column,

lines 19-63, right column, lines 1-12)

Regarding to claims 28 and 50:

In addition to rejection in claims 27 and 48, Tuatini- Lee further discloses the act of

performing the requested operation, an act of determining that the one of the plurality of

applications is authorized to perform the requested operation on the data structure based on

permissions provided by the identity, see (Tuatini: [0061]-[0063]; [0065]-[0068]; [0112])

Regarding to claim 53:

This claim is rejected under rationale of claim 27

Regarding to claim 54:

This claim is rejected under rationale of claim 1

Regarding to claim 52:

This claim is rejected under rationale of claims 1 and 27

Claims 37- 40 and 44 are rejected under 35 U.S.C 103(a) as being un-patentable over Tuatini- Lee in view of Shigetomi et al. (U.S. 2002/0055951)

Regarding to claim 37:

Tuatini- Lee discloses the invention substantially as disclosed in claim 27, but does not explicitly teach wherein the data structure represents grocery list information corresponding to the identity

However, Shigetomi discloses a storage medium that contains various services such as: "goods" which is equivalent to "grocery", movie, MP3 and more, see (Shigetomi: figures 4 and 5)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Shigetomi's ideas of using storage medium which contains various services with Tuatini- Lee's system in order to select a desire service from a plurality services stored in a storage medium, see (Shigetomi: abstract, lines 1-18)

Regarding to claim 38:

Tuatini- Lee discloses the invention substantially as disclosed in claim 27, but does not explicitly teach wherein the data structure represents in-box information corresponding to the identity

However, Shigetomi discloses a storage medium, which contains various services such as: "email" which is equivalent to "in-box information", movie, MP3 and more, see (Shigetomi: figures 4 and 5)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Shigetomi's ideas of using storage medium which contains various services with Tuatini- Lee 's system in order to select a desire service from a plurality services stored in the storage medium, see (Shigetomi: abstract, lines 1-18)

Regarding to claim 39:

Tuatini- Lee discloses the invention substantially as disclosed in claim 27, but does not explicitly teach wherein the data structure represents music service information corresponding to the identity.

However, Shigetomi discloses a storage medium which contains various services such as: "MP3" which is equivalent to "music", see (Shigetomi: figures 4 and 5)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Shigetomi's ideas of using storage medium which contains various services with Tuatini- Lee 's system in order to select a desire service from a plurality services stored in the storage medium, see (Shigetomi: abstract, lines 1-18)

Regarding to claim 40:

Tuatini- Lee discloses the invention substantially as disclosed in claim 27, but does not explicitly teach wherein the data structure represents calendar, information corresponding to the identity

However, Shigetomi discloses a storage medium, which contains various services such as: calendar function, see (Shigetomi: page 1, right column, lines 51-52)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Shigetomi's ideas of using storage medium which contains various services with Tuatini- Lee's system in order to select a desire service from a plurality services stored in the storage medium, see (Shigetomi: abstract, lines 1-18)

Regarding to claim 44:

Tuatini- Lee discloses the invention substantially as disclosed in claim 27, but does not explicitly teach wherein the data structure represents favorite Web site information corresponding to the identity

However, Shigetomi discloses a storage medium which contains various services such as: website function, see (Shigetomi: page 1, right column, lines.51-52)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Shigetomi's ideas of using storage medium which contains various services with Tuatini- Lee 's system in order to select a desire service from a plurality services stored in the storage medium, see (Shigetomi: abstract, lines 1-18)

Claims 29-30 and 51 are rejected under 35 U.S.C 103(a) as being un-patentable over Tuatini- Lee in view of Susaki et al. (U.S. 6,189,032)

Regarding to claims 29-30 and 51:

Tuatini- Lee discloses the invention substantially as disclosed in claims 28 and 48, but does not explicitly teach the method further comprises an act of maintaining a list of access rights to the data structure; and the act of determining that the one of the plurality of applications

is authorized to perform the requested operation on the data structure comprises an act of

referring to the list of access rights

However, Susaki discloses "a control table" which is equivalent to "a list of access

rights", see (Susaki: column 2, lines 55-67).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Susaki's ideas of using storage medium which contains various

services with Tuatini- Lee 's system in order to control user access, see (Susaki: abstract, lines

1-18)

Claims 19-21 are rejected under 35 U.S.C 103(a) as being un-patentable over

Tuatini- Lee in view of Jenkins et al. (U.S. 6,678,682)

Regarding to claim 19:

Tuatini- Lee discloses the invention substantially as disclosed in claim 1, but does not

explicitly teach wherein the identity is an individual

However, Jenkins discloses the principal could be "users" which is equivalent to

"individuals", see (Jenkins: column 7, lines 10-15)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Jenkins's ideas of using an access control rule ties together with

what principals such as user, companies with Tuatini- Lee's system in order to perform what

actions within their rights, see (Jenkins: column 6, lines 45-46)

Regarding to claim 20:

Tuatini- Lee discloses the invention substantially as disclosed in claim 1, but does not

explicitly teach wherein the identity is a group of individuals

However, Jenkins discloses the principal could be "division" which is equivalent to "group of individuals," see (column 7, lines 10-15)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Jenkins's ideas of using an access control rule ties together with what principals such as user, companies with Tuatini- Lee's system in order to perform what actions within their rights, see (Jenkins: column 6, lines 45-46)

Regarding to claim 21:

Tuatini- Lee discloses the invention substantially as disclosed in claim 1, but does not explicitly teach wherein the identity is an organization

However, Jenkins discloses the principal could be "companies" which is equivalent to "organizations," see (column 7, lines 10-15)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Jenkins's ideas of using an access control rule ties together with what principals such as user, companies with Tuatini- Lee's system in order to perform what actions within their rights, see (Jenkins: column 6, lines 45-46)

Claims 13 is rejected under 35 U.S.C 103(a) as being un-patentable over TuatiniLee in view of Robotham et al. (U.S. 2002/0015042)

Regarding to claim 13:

Tuatini- Lee discloses the invention substantially as disclosed in claim 1, but does not explicitly teach wherein the act of constructing a network message in accordance with a message

format that is recognized by the service comprises the following: an act of constructing a

network message in accordance with the Simple Object Access Protocol

However, Robotham discloses requests and responses between client and server may use

a protocol such as the Simple Object Access Protocol (SOAP), see (Robotham: page 10, left

column, lines 35-43)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Robotham's ideas of using Simple Object Access Protocol

(SOAP) for requesting and responding between client and server with Tuatini- Lee's system in

order to allows the server to provide rendering services to any client that supports the protocol

and the client can interpret the XML-encode contents provided by the server, see (Robotham:

page 10, left column, lines 35-43)

Response to Arguments

Applicant's arguments filed on 04/07/2006 have been fully considered but they are not

persuasive. In the remark applicant argued extensively, directed to Vong is not qualify prior art

under 35 USC.103 (c). Statement in the remark is insufficient to overcome Vong reference. If

applicant wishes to claim benefit under 35 USC 103 (c), Applicant should file a statement for

establishing common ownership, which must include "the claimed inventions and the Vong

reference were, at the time the invention was made, owned by the Microsoft Corporation" (See
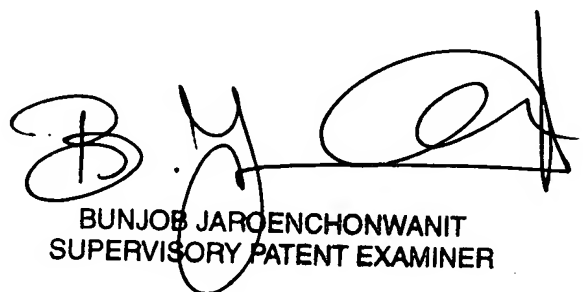
MPEP 706.02 (k))

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ldt,
06/23/2006

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER